

JOHN T. BAZZURRO, ESQUIRE-JB-1838
LAW OFFICES OF JOHN T. BAZZURRO, LLC

200 Mecco Drive
Millstone Township, New Jersey 08535
(732)410-5350

Attorneys for Plaintiff, MICHAEL LENNAN

MICHAEL LENNAN,

Plaintiffs,

vs.

HARD ROCK HOTEL & CASINO
ATLANTIC CITY, BOARDWALK 1000 LLC
and/or "JOHN DOE" OWNERS AND
LESSORS (#1-#5) (fictitious names,
individuals and/or entities), "JOHN DOE"
MAINTENANCE COMPANIES (#6-#10)
(fictitious names, individuals and/or entities)
and RICHARD ROES (#11-#15) (fictitious
names, individuals and/or entities),

Defendants.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Civil Action Number:

COMPLAINT AND JURY DEMAND

The Plaintiff, MICHAEL LENNAN, residing in the City of Stamford and State of Connecticut, by way of Complaint against the Defendants, says:

PARTIES

1. The Plaintiff, MICHAEL LENNAN, at all times mentioned herein, was a citizen of the State of Connecticut with his residence located at 65 Prospect Street, Apt. 4L in the City of Stamford, County of Fairfield and State of Connecticut.

2. The Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000 LLC, and/or "JOHN DOE" OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities), at all times mentioned herein, are entities authorized to do business in the State of New Jersey, and are citizens of the State of Jersey with its principle place

of business located at 1000 Boardwalk, Atlantic City, New Jersey and is engaged in the business of operating a hotel and casino.

3. The Defendants, “JOHN DOE” MAINTENANCE COMPANIES (#6-#10) (fictitious names, individuals and/or entities), at all times mentioned herein, are maintenance companies and/or independent contractors who were employed by, hired by, and/or contracted by the Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000 LLC, and/or “JOHN DOE” OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities).

4. The Defendants, “RICHARD ROES (#11-#15) (fictitious names, individuals and/or entities), at all times mentioned herein, are hired by, employed by, and/or contracted by the Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000 LLC, and/or “JOHN DOE” OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities) and/or “JOHN DOE” MAINTENANCE COMPANIES (#6-#10) (fictitious names, individuals and/or entities).

JURISDICTION AND VENUE

5. This Court has original jurisdiction over this Civil Action on the basis of diversity of citizenship pursuant to 28 U.S.C. § 1332 in that the Plaintiff is a citizen of a State which is different from the Defendant’s State of incorporation and the principle place of business and in which the amount of controversy exceeds the monetary limits required by 28 U.S.C. § 1332.

6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2) because the incident occurred at or near the Hard Rock Hotel & Casino in Atlantic City, County of Atlantic and State of New Jersey New Jersey which falls within the jurisdiction of this Court.

FIRST COUNT

7. On or about December 18, 2020, the Plaintiff, MICHAEL LENNAN, was an invited guest lawfully on premises known as Hard Rock Hotel & Casino Atlantic City located at 1000 Boardwalk in the City of Atlantic, County of Atlantic and State of New Jersey.

8. At the aforesaid time and place, the Plaintiff, MICHAEL LENNAN, suffered severe and debilitating injuries as a result of a dangerous condition existing upon the above referenced property; to wit: the existence of white slippery substance and broken glass.

9. At any and all times herein mentioned, the Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000, LLC and/or JOHN DOE OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities), were the owners, operators, lessees/lessors, managers and/or otherwise in control of the real property located at the aforementioned premises.

10. The Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000, LLC and/or JOHN DOE OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities), were negligent in that they:

- a. Did not keep its premises in a safe condition;
- b. Failed to maintain the premises in a proper manner;
- c. Conducted its maintenance and/or repair duties in a negligent and/or careless manner;
- d. Did not exercise proper care;
- e. Caused a dangerous and hazardous condition to exist;
- f. Allowed a nuisance to exist;
- g. Failed to provide proper safeguards and/or warnings on its property; and/or
- h. Was otherwise negligent.

11. As a result of the negligence of the Defendants, as aforesaid, the Plaintiff, MICHAEL LENNAN, sustained temporary and permanent bodily injuries, endured and will endure great pain and suffering, has been and will be compelled to seek the services of physicians and other help in an attempt to cure himself of his said injuries, and has been and will be prevented from attending to his normal business and affairs.

WHEREFORE, the Plaintiff, MICHAEL LENNAN, demands judgment against the Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000, LLC and/or “JOHN DOE” OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities), for damages and for such sums as would reasonably and properly compensate him in accordance with the laws of the State of New Jersey, together with interest and court costs.

SECOND COUNT

12. The Plaintiff, MICHAEL LENNAN, repeats and realleges the allegations of the previous counts as if repeated herein at length.

13. At all times mentioned herein, the Defendants, “JOHN DOE” MAINTENANCE AND MANAGEMENT COMPANIES (#6-#10) (fictitious names, individuals and/or entities), were in charge of and responsible for the maintenance and care of the area in question.

14. The Defendants, “JOHN DOE” MAINTENANCE AND MANAGEMENT COMPANIES (#6-#10) (fictitious names, individuals and/or entities), were negligent in that they:

- a. Failed to maintain the property in a proper manner;
- b. Conducted its maintenance duties in a negligent and careless manner;
- c. Did not exercise proper care;
- d. Caused a dangerous and hazardous condition to exist;

- e. Failed to provide proper safeguards and/or warnings;
- f. Allowed a nuisance to exist; and,
- g. Was otherwise negligent in the performance of its duties.

15. As a result of the negligence of the Defendant, “JOHN DOE” MAINTENANCE AND MANAGEMENT COMPANIES (#6-#10) (fictitious names, individuals and/or entities), as aforesaid, the Plaintiff, MICHAEL LENNAN, sustained temporary and permanent bodily injuries, endured and will endure great pain and suffering, has been and will be compelled to seek the services of physicians and other help in an attempt to cure himself of his said injuries, and has been and will be prevented from attending to his normal business and affairs.

WHEREFORE, the Plaintiff, MICHAEL LENNAN, demands judgment against the Defendants, “JOHN DOE” MAINTENANCE AND MANAGEMENT COMPANIES (#6-#10) (fictitious names, individuals and/or entities), for damages and for such sums as would reasonably and properly compensate him in accordance with the laws of the State of New Jersey, together with interest and court costs.

THIRD COUNT

16. The Plaintiff, MICHAEL LENNAN, repeats and realleges the allegations of the previous counts as if repeated herein at length.

17. At all times mentioned herein, the Defendants, RICHARD ROES (#11-#15) (fictitious names, individuals and/or entities), were the servants, agents, and/or employees of the Defendants, HARD ROCK HOTEL & CASINO ATLANTIC CITY, BOARDWALK 1000, LLC and/or “JOHN DOE” OWNERS AND LESSORS (#1-#5) (fictitious names, individuals and/or entities), and/or “JOHN DOE” MAINTENANCE AND MANAGEMENT COMPANIES (#6-

#10), and as such, was in charge of and responsible for the maintenance and care of the area in question.

18. The Defendants, RICHARD ROES (#11-#15), (fictitious names, individuals and/or entities), were negligent in that they:

- a. Failed to maintain the property in a proper manner;
- b. Conducted his maintenance duties in a negligent and careless manner;
- c. Did not exercise proper care;
- d. Caused a dangerous and hazardous condition to exist;
- e. Failed to provide proper safeguards and/or warnings;
- f. Allowed a nuisance to exist; and
- g. Was otherwise negligent in the performance of his duties.

19. As a result of the negligence of the Defendant, RICHARD ROES (#11-#15), (fictitious names, individuals and/or entities), as aforesaid, the Plaintiff, MICHAEL LENNAN, sustained temporary and permanent bodily injuries, endured and will endure great pain and suffering, has been and will be compelled to seek the services of physicians and other help in an attempt to cure himself of his said injuries, and has been and will be prevented from attending to his normal business and affairs.

WHEREFORE, the Plaintiff, MICHAEL LENNAN, demands judgment against the Defendant, RICHARD ROES (#11-#15) (fictitious names, individuals and/or entities), for damages and for such sums as would reasonably and properly compensate her in accordance with the laws of the State of New Jersey.

JURY DEMAND

The Plaintiff hereby demands a trial by jury as to all issues contained herein.

LAW OFFICES OF JOHN T. BAZZURRO, LLC

200 Meco Drive

Millstone Township, New Jersey 08535

(732)410-5350

Attorneys for Plaintiff, MICHAEL LENNAN

Dated: 05/13/2022

By: _____

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JOHN T. BAZZURRO, Esq.

CERTIFICATION PURSUANT TO RULE 11.2

I hereby certify that the matter in controversy in the above-captioned action is not now known to be to be the subject of any action pending in any court or of a pending arbitration proceeding.

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Attorneys for Plaintiff, MICHAEL LENNAN

Dated: 05/13/2022

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JOHN T. BAZZURRO, Esq.